

# COT MEETING MINUTES

## COMMISSION ON TECHNOLOGY

Thursday, May 6, 2010 10:00 AM - 3:30 PM

ARIZONA SUPREME COURT  
Administrative Office of the Courts  
1501 W. Washington  
Phoenix, AZ 85007

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### CONFERENCE ROOM 119A/B

#### MEMBERS PRESENT

Kent Batty  
Michael Baumstark  
Robert Brutinel  
Elizabeth Hegedus-Berthold  
Andrew Hurwitz, *Chair*  
Michael Jeanes  
Gary Krcmarik  
Sheri Newman  
Catherine O'Grady  
Marcus Reinkensmeyer  
John Rezzo  
Delcy Scull  
Roxanne Song Ong  
Ann Timmer  
Garye Vasquez

#### GUESTS

Steve Ballance, *Pima Superior*  
Janet Cornell, *Scottsdale City Court*  
Jennifer Gilbertson, *TAC*  
Anoop Kumar, *Maricopa ETS*  
Rona Newton, *PACC*  
Rich McHattie, *Maricopa COSC*  
Mark Madden,\* *Yuma Justice Courts*  
Michael Pollard, *CACC*  
Rick Rager, *CACC, TAC*  
Jamie Ross, *Courthouse News Svc*  
David Stevens, *TAC*  
Larry Winthrop, *COA Div 1*

#### MEMBERS ABSENT

Dennis Kavanaugh

#### AOC STAFF

Carol Ashton, *CSD*  
Jack Bigwarfe, *ITD*  
Stewart Bruner, *ITD*  
Karl Heckart, *ITD/TAC*  
Keith Kaplan, *CSD*  
Patrick McGrath, *CSD*  
Adele May, *ITD*  
Alicia Moffatt, *ITD*

\* attended by telephone

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## WELCOME AND OPENING REMARKS

Hon. Andrew Hurwitz,  
Chair

Vice Chief Justice Andrew Hurwitz, Chair, called the Commission on Technology (COT) annual meeting to order just after 10:00 a.m. He welcomed members and explained the rationale for holding the meeting on the earliest possible date as well as for reducing the length to a single day. Staff confirmed that a quorum existed, then members introduced themselves. Justice Hurwitz updated members on several items of interest:

- The appointment process is underway. Members whose terms expire July 1 will receive a letter from the Chief before that date. Membership will remain largely static.
- The length of this annual meeting has been reduced to a single day and the focus changed from hearing reports to discussing issues, priorities, and direction.
- The budget situation remains in flux pending the outcome of the May 18 vote on the sales tax increase. What is certain is that a “no” vote triggers various budget cuts and yields a medium-term crisis likely requiring further discussion about various project cuts while a “yes” vote likely does not.
- September 3, the scheduled date of the next meeting, is the Friday before Labor Day. Alicia Moffatt will send an e-mail to ascertain members’ availability to meet on September 24.
- The chair commended members for their work related to statewide technology issues in the midst of the local stresses they are under. The progress being made and number of simultaneous projects underway is phenomenal.
- He asked that those wishing to speak please use the public comment process to do so.
- He called attention to the CACC monitoring metric and the fact that both projects are currently in green status.

The chair then called members’ attention to the minutes from the February 19 meeting.

## MOTION

**A motion was made and seconded to approve the minutes of the February 19, 2010, Commission on Technology meeting. The motion passed unanimously.**

**TECH 10-04**

## PLANNING GOALS AND AGENDA REVIEW

Hon. Andrew Hurwitz, Chair

Justice Hurwitz briefly explained the desired outcome of the annual meeting and the need for both COT and members to contemplate their three to five year plans. Staff Member Stewart Bruner previewed the overall flow of the meeting to orient members to the tasks at hand. Justice Hurwitz then further set the stage by sharing Chief Justice Berch’s approach to technology, having chaired COT for 4 years before becoming chief, and the larger theme of doing more with less.

## JUSTICE 20/20: STRATEGIC AGENDA 2010-2015

Mr. Stewart Bruner

Stewart described his approaching to determining technology impacts related to the business initiatives described in the new strategic agenda for the courts released by the chief justice.

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Compiled under the leadership of Ms. Janet Scheiderer using input from various groups including COT, the Justice 20/20 document was released in March and now appears on the courts' website. He described each item and categorized it as being underway already, planned, or an item that will need to be planned. Only a few items he described are not yet included in a plan and the majority of those involve more of a general direction than a specific project.

## IT STRATEGIC PLANNING ROADMAP

Mr. Karl Heckart

Justice Hurwitz introduced Karl Heckart, chief information officer (CIO) for the Administrative Office of the Courts (AOC), to set the technology stage for the planning effort. Karl reviewed some macro trends underway in the technology field then provided some astounding facts about the explosive growth of data available on the Internet. He then summarized consumers' expectations about business and government data which must inform our policies about its management as well as the privacy of court users. Karl updated members on progress being made on the various items contained in the technology strategic plan, then built a context that mapped key areas of technology to citizen or court centricity.

He then delved into a set of issues including cross-project coordination, resource sharing and leveraging, the ever increasing interdependence of automated systems on each other, the need for additional standards to reduce complexity and risk, and the compounding impact on the organization of waves of technological change. Justice Hurwitz also elaborated some management issues brought about by technology changes.

Members briefly discussed the need for top management's support for the changes, especially a willingness to intervene when courts prove reticent to embrace change for the good of the branch as a whole.

## STRATEGIC PROJECTS REVIEW/UPDATES

Subcommittee Chairs

### UPDATE

### COURT AUTOMATION COORDINATING COMMITTEE

Hon. Michael Pollard

Judge Michael Pollard recognized a long list of court personnel who have completed or significantly advanced trial court automation projects in the past year, focusing on AGAVE, Tempe Case Management System (CMS), AJACS, the Limited Jurisdiction (LJ) CMS, and the Maricopa Clerk's RFR Replacement effort. He used the majority of the update to raise questions about CACC's current scope and authority to monitor automation projects throughout their entire lifecycle.

He described a recent change in scope for the LJ CMS project having a goal of increasing the base functionality. As the largest volume LJ courts begin planning their implementations of the enhanced case management system being developed by AOC and the vendor, CACC is reconsidering the role it plays in monitoring trial court technology projects on behalf of COT. Judge Pollard's request for a motion explicitly stating CACC's authority to monitor implementations of trial court automation prompted discussion among members. The consensus was that CACC's role already does include monitoring implementations but that more focus on

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the interdependencies among automated systems rather than individual tasks within projects would be beneficial. Justice Hurwitz clarified that COT approves projects while CACC merely monitors them following approval and that that balance would not be changed. Karl Heckart described his broad charge to CACC to coordinate automation at the trial court level.

Focus then changed to the specific methods of monitoring that CACC would employ. Judge Pollard offered to return with details for monitoring both development phase and implementation phase activities at the September meeting. Members asked him to also bring ideas for identifying when a trial court is affected by an automation project focused somewhere else.

## MOTION

**A motion was made and seconded to direct CACC to continue to monitor automation activities that affect the trial courts. The motion passed unanimously.**

**TECH 10-05**

Staff noted the intent of the motion maker that the language encompass cradle-to-grave activities related to automation, including CMS implementations.

## UPDATE

### e-COURT SUBCOMMITTEE

Hon. Andrew Hurwitz,  
Mr. Karl Heckart

Justice Andrew Hurwitz, chair of the e Court subcommittee, summarized the activities of e-Court as supporting the implementation of AZTurboCourt by resolving issues raised by the business and technical teams. Approximately 20 issues have been resolved and documented thus far; more will continue to be raised. He praised the cooperation of the various courts involved and expressed great confidence in the effort being piloted at the Maricopa Justice Courts. He then shared the possible timing of upcoming mandatory civil case filing for lawyers in Maricopa and Pima Counties. Justice Hurwitz stated a goal of coordinating the timeline for mandating e-filing in both counties.

Focus changed to the secondary business implications that technology changes bring. Justice Hurwitz provided some recent, specific examples, mostly at the appellate level. A sweeping administrative order is being prepared to enable AZTurboCourt to work in the way that makes the most sense and not limited by paper-based rules. A more permanent solution to re-engineer away from paper via rule and technical specification changes is also underway. Justice Hurwitz reiterated the progress that is being made and predicted that a major paradigm change would be well underway by next year's annual meeting. Kent Batty pointed out the number of front-line workers who are involved in constructing and building the automation in preparation for implementing e-filing.

The chair then described the challenges of marketing and communication to the populations of electronic filers, including training of attorneys. The State Bar has embraced the education role and is willing to grant CLEs for training sessions. They have also provided a booth and some speaking opportunities at the convention in June. The AOC will take the lead with training large law firms because of the administrative complexities related to their internal processes. Public member John Rezzo updated members on the experience of Snell & Wilmer as the initial pilot for subsequent e-filing in civil cases and touted it as a "green initiative."

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## UPDATE

### PROBATION AUTOMATION COORDINATING COMMITTEE

Ms. Rona Newton,  
Mr. Bob Macon, &  
Mr. David Stevens

Ms. Rona Newton, chair of the Probation Automation Coordinating Committee (PACC), Mr. Bob Macon, APETS/JOLTSaz Project Manager, and Mr. David Stevens, Chief Technology Officer for Maricopa Superior Court, each recapped the accomplishments in various areas of probation automation from the past year. They also each shared a set of goals for the upcoming year before Rona returned to the question she raised in her introduction about PACC's larger purpose.

Rona proposed to have PACC monitor all probation automation activities that affect courts regardless of jurisdiction or funding source in a way that increases coordination and fosters collaboration. She shared the Committee on Probation's desires for the role of PACC, acting as coordinator and conduit for communications between the business and automation in the probation world. Members discussed the relationship between CACC and PACC, as well as the possibility of restructuring the subcommittees. Justice Hurwitz acknowledged that the subcommittees had been structured at a time when siloed applications were the norm.

Karl expressed a concern that blending the two subcommittees would blur their focus. He recounted the thinking that drove the formulation of two co-equal subcommittees. He agreed that the subcommittees do need to coordinate between themselves. Justice Hurwitz contributed an idea to have a liaison from each committee sitting at the table with the other. Members requested that Rona return with a more detailed action plan for accomplishing the direction she described in her proposed motion.

## MOTION

**A motion was made and seconded to direct PACC to monitor probation automation activities that affect the trial courts, regardless of jurisdiction or funding source, in a way that increases coordination and fosters collaboration. The motion passed unanimously.**

**TECH 10-06**

## UPDATE

### TECHNICAL ADVISORY COMMITTEE

Mr. Karl Heckart

Karl Heckart briefly shared a list of items TAC involved itself with in the past year, including certain items that have already made their way to COT, like document format and XML data transfer specifications. He spent the majority of time describing the changes that were made to the enterprise architecture table by members of TAC and proposed that COT approve the biennial update to the table. Further TAC discussion will be required about e-mail encryption, authentication of official documents, and data encryption on mobile devices.

## MOTION

**A motion was made and seconded to adopt the revised enterprise architecture table, as recommended by TAC. The**

**TECH 10-07**

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**motion passed unanimously.**

## **STRATEGIC PROJECT PRIORITIZATION FY11 – FY14**

Mr. Karl Heckart

Karl Heckart described the goal of the prioritization effort as creating a list of items important enough to still fund in the event further cuts have to be made. He showed a revised project prioritization mind map based on the one approved in the previous annual meeting and described items completed since last year. Karl walked members through the minor changes he proposed for the upcoming year. The categories of projects listed included e-filing, electronic document access, LJ EDMS, defensive driving phase 2, JOLTSaz, LJ CMS, APETS, and AJACS. Members discussed addressing the ancillary items of business process re-engineering, marketing, and education in relation to the pure technology items displayed on Karl's chart. Justice Hurwitz felt that a discussion of changing court practices would be a worthwhile future agenda item and a possible leadership conference topic.

### **MOTION**

**A motion was made and seconded to Approve the 2011 - 2013 information technology strategic project priorities, as presented. The motion passed unanimously.**

**TECH 10-08**

## **FINANCIAL AND TACTICAL DECISIONS**

Mr. Karl Heckart

Karl reviewed the very tentative JCEF projections for FY11, barring any further sweeps, he received from AOC Finance. He also detailed the proposed spending amounts for projects already underway. He noted assumptions of zero revenue growth, the necessity of the FY11 remaining balance being used for LJ CMS in FY12 as part of its three-year funding timeline, and a spending authority increase to be able to spend necessary amounts in FY12. Stewart explained to members why a motion was being put forward when so many financial items remain vague. Justice Hurwitz added that he was comfortable with a placeholder that established some direction prior to the Arizona Judicial Council (AJC) meeting in June.

### **MOTION**

**A motion was made and seconded to fund operation of existing statewide systems and previously authorized projects, as presented. The motion passed unanimously.**

**TECH 10-09**

## **FY2011-2013 INDIVIDUAL COUNTY AUTOMATION PLAN UPDATES**

Mr. Stewart Bruner

Mr. Stewart Bruner, Manager of IT Strategic Planning for AOC, summarized the change in process of obtaining updates to last year's plans as a result of court administrators' request for relief this year. Six updates and one complete plan were received instead of the usual 15 plans. Stewart thanked Steve Ballance and Kent Batty for their effort in completing a complete refresh of the Pima plan. Analysis of the updates submitted by the counties indicates that project

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completions are slowing due to staffing and cash flow constraints. Coupled with the recent approval of an updated table of architecture standards, the gap that he described in detail last year is widening, increasing the risk to the courts and reducing the ability to leverage statewide solutions predicated on target technology items.

In place of his whirlwind, county-by-county, strategic plan summarization, Stewart briefed members only on the accomplishments and plans contained in the Pima document. He recommended that members approve the plan as presented, stating that he has already reviewed the concern about the number of items falling below architectural targets with Steve Ballance and projects exist to remediate the largest deficiencies. Kent Batty mentioned that the Pima plan has been better linked to the internal planning processes used at the superior court.

Discussion about the approach to next year's planning cycle is being reserved until after the summer, when the impact of the sales tax vote and budget situation become clearer.

## MOTION

**A motion was made and seconded to approve Pima County Courts' Information Technology Strategic Plan for FY 2011-2013, as presented. The motion passed unanimously.**

**TECH-10-10**

## MEETING REVIEW/WRAPUP

Hon. Andrew Hurwitz

Justice Hurwitz summarized the materials that will be submitted to AJC. He reminded members that, should a June 10 meeting be necessary, it would fall in the middle of the State Bar convention so an e-mail will be circulated to determine the best time to meet. He commended subcommittee chairs for their succinct presentations and members for their willingness to grapple with the larger policy issues this year in the absence of extensive updates.

## CALL TO THE PUBLIC

Hon. Andrew Hurwitz

After issuing a call to the public and hearing no further discussion from members, the chair then entertained a motion to adjourn at 2:25 p.m.

## Upcoming Meetings:

June 10, 2010	Conference call and Room 119 (if needed)
September 24, 2010	AOC – Conference Room 345 A/B (was September 3)
November 05, 2010	AOC – Conference Room 119 A/B

## MEETING ADJOURNED

2:25 PM